



MICHAEL P. JUDGE
PUBLIC DEFENDER

LAW OFFICES
LOS ANGELES COUNTY PUBLIC DEFENDER
19-513 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE ST, 19TH FLOOR
LOS ANGELES, CALIFORNIA 90012
(213) 974-2811
TDD # (800) 801-5551

EXECUTIVE OFFICE

April 27, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

DEPARTMENT OF PUBLIC DEFENDER: REGISTRATION FEE INCREASE

(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)

SUBJECT

The Los Angeles County Public Defender is seeking to adopt a resolution to implement the provisions of California State Senate Bill (SB) 676, which increases the maximum allowable amount for a registration fee for court-appointed legal representation from \$25.00 to \$50.00, effective April 27, 2010.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution to implement the provisions of Senate Bill 676, which authorizes the County of Los Angeles (County) to increase the registration fee for legal representation provided by the Public Defender, the Alternate Public Defender or other court-appointed counsel from \$25.00 to \$50.00, effective April 27, 2010.

PURPOSE OF RECOMMENDED ACTION

The purpose of this recommended action is to increase the registration fee for court-appointed legal representation provided by the County from \$25.00 to \$50.00, effective April 27, 2010.

On December 17, 1996, under provisions of Senate Bill 251, your Board established a \$25.00 registration fee to be imposed and collected by the Los Angeles Superior Court (Court) for representation by the Public Defender, Alternate Public Defender or other court-appointed counsel at the commencement of the case, pursuant to Penal

Code Section 987.5 and Welfare & Institutions Code Section 903.15. This resolution provided that 20 percent (20%) of the fee would be retained by the Court to offset collection costs with the remaining 80 percent (80%) being allocated to the Public Defender, or Alternate Public Defender, in accordance with established collection procedures, unless there was other court-appointed counsel, in which case the revenue was to be retained by the Courts.

On April 14, 1998, your Board adopted a joint resolution of the Courts and the Public Defender recommending the amendment of Court Account Collection Services Master Agreement Work Order Number Three between the Administratively Unified Courts of Los Angeles County and GC Services Limited Partnership for collection services for the Public Defender and Alternate Public Defender.

On October 11, 2009 the State of California chaptered Senate Bill (SB) 676, which amended Penal Code 987.5 authorizing the County to charge a registration fee of up to \$50.00 to all defendants financially able to pay for representation by court-appointed counsel. Similar to the provisions of Senate Bill 251, 20 percent (20%) or \$10.00 of the new fee will be retained by the Court to offset collection costs with the remaining 80 percent (80%) or \$40.00 being allocated to the Public Defender, or Alternate Public Defender, in accordance with established collection procedures, unless there was other court-appointed counsel, in which case the revenue is to be retained by the Courts.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended Board action is consistent with the principles of the Countywide Strategic Plan Goal No. 1: Operational Effectiveness.

FISCAL IMPACT

There is no increase in net County cost for this action. The Court and the Public Defender estimate an increase in annual registration fee revenues of approximately \$500,000.

Financing

The financing of this service will be available from money collected by the vendor.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

County Counsel has approved the attached resolution as to form.

Pursuant to Section 66018 of the California Government Code, prior to adopting a new fee or approving an increase in an existing fee, a local agency shall hold a public hearing. In accordance with Section 6062a of the California Government Code, notice of the hearing shall be published. The County is in compliance with the requirements of these sections.

The Honorable Board of Supervisors
April 27, 2010
Page 3

CONTRACTING PROCESS

This will not significantly alter the contracting procedures under the Master Agreement for collection services. The Public Defender will work with the Superior Court as necessary to amend the existing contract with the vendor collecting registration fees.

IMPACT ON CURENT SERVICES (OR PROJECTS)

Approval of the proposed registration fee increase will provide the Public Defender an opportunity to generate additional revenue.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to forward three adopted copies of this letter to the Department of Public Defender for distribution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael P. Judge", with a large, stylized flourish extending from the end of the signature.

Michael P. Judge
Public Defender

C: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

**RESOLUTION TO INCREASE REGISTRATION FEES FOR REPRESENTATION BY
THE PUBLIC DEFENDER, ALTERNATE PUBLIC DEFENDER
OR APPOINTED COUNSEL**

WHEREAS, the State of California chaptered SB 676, which amended Penal Code § 987.5 to increase the registration fee for representation by appointed counsel to up to \$50.00; and,

WHEREAS, the County has reviewed the proposed increase to \$50.00 and finds the fee increase appropriate; and,

WHEREAS, the increase will offset the costs of the County to provide court-appointed counsel; and,

WHEREAS, the County has conducted a noticed public hearing on the fee increases; and,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California as follows:

The registration fee for appointed counsel is hereby raised to \$50.00. The Court shall continue to retain up to 20% of fees collected to offset the cost of collections.

The foregoing resolution was adopted on the 27th day of APRIL, 2010, by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.



Sachi A. Hamai, Executive Officer-Clerk
Of the Board of Supervisors of the County
of Los Angeles

By


Deputy

APPROVED AS TO FORM:

Andrea Sheridan Ordin
County Counsel

By:

